

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF MISSISSIPPI**

UNITED STATES OF AMERICA,

Plaintiff,

v.

TALLAHATCHIE COUNTY, AND  
TALLAHATCHIE COUNTY SHERIFF,  
in his official capacity,

Defendants.

Civil Action No. 3:21-cv-45-NBB-RP

**JOINT MOTION FOR EXTENSION OF THE DEADLINE FOR  
DISMISSAL (WITH PREJUDICE) OF THE CASE**

Plaintiff, the United States of America, and Defendants, Tallahatchie County, Mississippi, and Tallahatchie County Sheriff, in his official capacity, (together, the “Parties”), hereby jointly move for a six-month extension to May 18, 2022, for the dismissal (with prejudice), of this case. In support of this Joint Motion, the Parties state as follows:

1. On March 2, 2021, the United States filed the Complaint in this matter. (ECF No. 1).

1). Simultaneously, the Parties filed a Joint Motion for Dismissal under Rule 41(a)(2) of the Federal Rules of Civil Procedure because the Parties entered into a Settlement Agreement, which fully resolves the Parties' underlying dispute. (ECF Nos. 4, 4-1).

2. Pursuant to the Settlement Agreement, the Parties jointly moved the Court to dismiss this action without prejudice, while retaining jurisdiction over the Settlement Agreement for enforcement purposes. The Parties further moved that, six months after the Order of

dismissal, this action be dismissed with prejudice, automatically, and without further action of this Court, unless the Court enters an order for extension.

3. On May 18, 2021, the Court granted the Parties' Joint Motion for Dismissal, without prejudice. (ECF No. 5). Pursuant to this Order, the instant action will automatically be dismissed, with prejudice, on November 18, 2021, unless the Court enters an order extending this six-month period.

4. The Parties respectfully request a six-month extension to the dismissal date of this action as the Parties are diligently working to implement the injunctive relief section of the Settlement Agreement, including the development of a pay policy. The Parties have exchanged a draft policy and have engaged in discussions, but need additional time to finalize the policy and implement the remaining injunctive relief. A six-month extension will allow the Parties time to reach agreement on all outstanding issues and to implement the new pay policy.

5. All Parties consent to the relief requested and thus there is no prejudice to any Party in granting the extension requested.

6. A proposed order consistent with this Joint Motion is attached hereto.

Dated: October 20, 2021

Respectfully submitted,

FOR PLAINTIFF UNITED STATES:

KRISTEN CLARKE  
Assistant Attorney General  
Civil Rights Division

KAREN D. WOODARD  
Chief  
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/s/ Lori Kisch

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FOR DEFENDANTS TALLAHATCHIE COUNTY,  
MISSISSIPPI AND TALLAHATCHIE COUNTY SHERIFF, IN  
HIS OFFICIAL CAPACITY

/s/ Timothy M. Peeples

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**CERTIFICATE OF SERVICE**

I hereby certify that on this 20th day of October 2021, a true and correct copy of the Parties' Joint Motion for Extension of the Deadline for Dismissal (with Prejudice) of the Case was served *via* the Court's Electronic Case Filing (ECF) system upon Timothy M. Peeples, counsel for Defendant.

*Counsel for Plaintiff United States of America*

/s/ Sara Safriet

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